

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby gives Notice of Intended Action to amend Chapter 6, "Executive Branch Ethics," Iowa Administrative Code.

Iowa Code chapter 68B contains limitations on certain activities by "officials" and "employees" of the executive branch. The proposed amendment reflects that an individual serving in an "interim" or "acting" position in the executive branch of state government is subject to those limitations.

The proposed amendment does not contain a specific waiver provision but is subject to waiver under the provisions of 351—Chapter 15.

Any interested person may make written comments on the proposed amendment on or before December 23, 2008. Comments should be directed to Charlie Smithson, Iowa Ethics and Campaign Disclosure Board, 510 E. 12th Street, Suite 1A, Des Moines, Iowa 50319. Persons who wish to comment orally should contact Charlie Smithson at (515)281-3489.

This amendment is intended to implement Iowa Code section 68B.2.

The following amendment is proposed.

Amend rule **351—6.2(68B)**, definitions of "Employee" and "Official," as follows:

"Employee" means an individual who is a paid employee of any agency of state government. "Employee" includes an individual employed in an interim or acting capacity. "Employee" does not include an official or an independent contractor.

"Official" means a statewide elected official, an executive or administrative head or heads of a state agency, a deputy executive or administrative head or heads of a state agency, a member of a board or commission as defined under Iowa Code section 7E.4, or a head of a major subunit of a state agency whose position involves a substantial exercise of administrative discretion or the expenditure of public funds. "Official" includes an individual serving in an interim or acting capacity.